

# TITLE 326 AIR POLLUTION CONTROL DIVISION

## Rule Information Sheet

IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules for Title 326  
LSA Document #23-80

### Overview

Certain rules described in IC 13-14-9.5-1.1 do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under IC 13-14-9. This notice was published in the Indiana Register on March 15, 2023, at DIN: 20230315-IR-326230080BNA. No comments were received during the comment period. IDEM must also hold a public hearing before the Environmental Rules Board (board). The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

The affected rules can be viewed online by clicking on the list of citations in the IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules (DIN: 20230315-IR-326230080BNA).

### Citations Affected

326 IAC 2-6-1	Applicability
326 IAC 2-9-1	General provisions
326 IAC 2-10-2.1	Definitions
326 IAC 2-10-3.1	Conditions
326 IAC 2-10-4.1	Demonstration of compliance
326 IAC 2-10-5.1	Compliance with other provisions
326 IAC 2-10-6.1	Enforcement
326 IAC 2-11-3	Grain elevators
326 IAC 2-11-4	Grain processing or milling
326 IAC 8-14	Architectural and Industrial Maintenance (AIM) Coatings
326 IAC 8-15	Standards for Consumer and Commercial Products

### Affected Persons

This rulemaking affects no additional persons that were not already affected by the rules in the last seven years. These affected persons will benefit from the stability of a consistent regulatory environment and the ability to comment on the rules on a statutorily defined schedule.

### Reasons for the Rule

This rulemaking to review rules that do not expire under IC 13-14-9.5 is a statutory requirement

under IC 13-14-9.5-1.1.

**Economic Impact of the Rule**

This rulemaking creates no fiscal impact on any person.

**Scheduled Hearings**

Public Hearing: June 14, at 1:30 p.m., at the Indiana Government Center South, 10 North Senate Avenue, Conference Room A, Indianapolis, Indiana.

**IDEM Contact**

Additional information regarding this rulemaking action can be obtained from Keelyn Walsh, Rules Development Branch, Office of Legal Counsel, (317) 232-8229, (800) 451-6027 (in Indiana), or [kwalsh@idem.in.gov](mailto:kwalsh@idem.in.gov).